

# Indiana Department of Labor

**Presenter:**  
**Kenneth Boucher**  
**Director of Child Labor, Training and Education**

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## Child Labor Laws Overview

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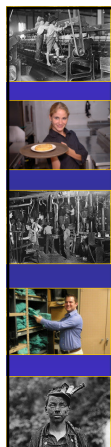
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Child Labor Laws - Overview

### Record Keeping Requirements

- Employers must maintain records of days and hours worked for minors
  - Breaks and Lunches
  - Terminations
  - Parental Permission
  - Graduation or Withdrawal from High School
  - Employment Certificates (Work Permits)
- Most frequently cited violations are for poor or inaccurate recordkeeping

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Child Labor Laws – Work Permits

### Work Permits

- Nearly all minors (14 through 17) in Indiana are required to obtain a work permit
- Home Schooled students must obtain Work Permits from Accredited High Schools
- Termination Notice = bottom half of the Work Permit

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Child Labor Laws – Required Poster

### Child Labor Poster

- Indiana law requires that employers post notice
  - Maximum allowable hours per day
  - Hours beginning and ending each day
- Poster is developed and distributed by the Indiana Department of Labor
- MUST be displayed
  - in a conspicuous place in the business
  - where employee notices are customarily posted

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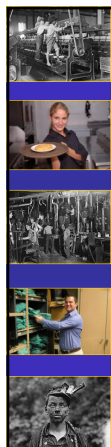
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Child Labor Laws – Hours of Work

### Hours of Work

- State and Federal laws mandate acceptable work hours for minors
- Hours vary based on minor's age
- Parental and/or school permission may allow minors to work extended hours
  - Must be in writing
  - Must be kept on file with the employee's records
  - IDOL provides a "Parental Permission Form"
  - Available online at [www.in.gov/dol](http://www.in.gov/dol)

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Child Labor Laws – Hours of Work

14 and 15 Year Olds  
May work

- 8 hours per non-school day
- 40 hours per non-school week
- No work before 7:00 am or after 7:00 pm
  - Exception
    - 9:00 pm from June 1 through Labor Day

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Child Labor Laws – Hours of Work

16 Year Olds  
May work

- 8 hours per day
- 30 hours per week
- No more than 6 days per work week
- Not before 6:00 am
- Until 10:00 pm

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Child Labor Laws – Hours of Work

With Parental Permission,  
16 Year Olds May work

- 9 hours per day
- 40 hours per school week
- 48 hours per non-school week
- Until 12:00 am on nights not followed by a school day

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Child Labor Laws – Hours of Work

### 17 Year Olds May work

- 8 hours per day
- 30 hours per week
- No more than 6 days per work week
- Not before 6:00 am on school days
- Until 10:00 pm on nights followed by a school day
  - There is no end-time restriction for 17 year olds on nights not followed by a school day

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Child Labor Laws – Hours of Work

### With Parental Permission, 17 Year Olds May work

- 9 hours per day
- 40 hours per school week
- 48 hours per non-school week
- Until 11:30 pm on nights followed by a school day
- Until 1:00 am on nights followed by a school day
  - Not consecutive nights
  - Not more than 2 school nights per week

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Child Labor Laws – Prohibited/Hazardous Occupations

### Prohibited/Hazardous occupations

- Minors are prohibited by law from working in hazardous occupations
- Hazardous occupations are defined by the federal Fair Labor Standards Act (FLSA)
- Vary based on age
- Information available online at:
  - [www.in.gov/dol/2741.htm](http://www.in.gov/dol/2741.htm)
  - [www.youthrules.gov](http://www.youthrules.gov)

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Child Labor Laws – Prohibited/Hazardous Occupations

### Prohibited/Hazardous Occupations

- 14 and 15 year olds may not perform
  - Work in or about boiler or engine rooms
  - Loading or unloading goods on or off trucks, railcars or conveyors
  - Maintenance or repair of a building or its equipment
  - Outside window washing

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Child Labor Laws – Prohibited/Hazardous Occupations

### Prohibited/Hazardous Occupations

- 14 and 15 year olds may not perform
  - Work standing on a window sill, ladder, scaffold or similar equipment
  - Youth Peddling
  - Advertising wearing a costume or carrying a sign

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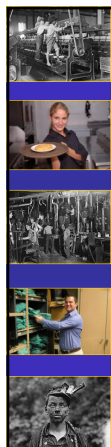
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Child Labor Laws – Prohibited/Hazardous Occupations

### Prohibited/Hazardous Occupations

- 16 and 17 year olds may not
  - Operate or maintain powered woodworking or saw milling tools\*
    - Chainsaws, circular saws, bandsaws
  - Operate or maintain power-driven hoisting machines
    - Cranes, forklifts, person lifts
  - Load or operate power-driven bailers or compactors\*
  - Work on the roof of any building in any capacity\*
  - Participate in the demolition or razing (total or partial) of any structure or ship

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Child Labor Laws – Prohibited/Hazardous Occupations

### Prohibited/Hazardous Occupations

- 16 and 17 year olds may not
  - Work in areas where explosives are manufactured or stored
  - Perform mining
  - Be exposed to radioactive substances
  - Use power-driven bakery machines
  - Manufacture brick or tile
  - Use excavating equipment\*
  - Process or pack meat
  - Use metal forming equipment\*

\* May be exempt if enrolled in a vocational program

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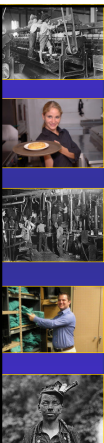
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Child Labor Laws – Prohibited/Hazardous Occupations

### Prohibited/Hazardous Occupations

- Driving Restrictions
  - 16 year olds may not operate any motor vehicle on any public road or highway, or near any mining, logging or sawmilling operation
    - Cars, pickup trucks, motorcycles, vans, semis
  - 17 year olds may only drive under certain limited circumstances
    - Valid driver's license and no moving violations
    - Only in daylight hours
    - May not be placed on a timed route or delivery
    - May not deliver food
    - Must be instructed on how to use a seatbelt

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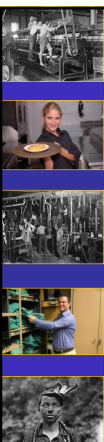
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Child Labor Laws – Breaks and Lunches

### Breaks and Lunches

- The most frequently cited penalty!
- Minors under 18 must receive 1 or 2 breaks totaling at least 30 minutes if working six or more hours
- Employers must maintain a break log for minor employees
- Breaks must be documented regardless of whether they are paid or unpaid

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# Common Construction Wage Act

## Overview

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Common Construction Wage Act - Application

### Applies To...

- Public Works projects estimated over \$350,000 in hard costs
- Paid for using public funds
- Owned or leased with an option to purchase by the state or a political subdivision



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Common Construction Wage Act - Exemptions

### Does NOT Apply To...

- Projects under \$350,000
- Paid for using federal or private money
- Private construction
- Not owned or leased with an option to purchase by the state or a political subdivision
- Businesses that receive tax incentives



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Common Construction Wage Act - Administration

Administration of the Act

- Scale must be adopted no less than two (2) weeks prior to the bid award date
- Meeting is subject to Indiana's Open Door law
- As a courtesy, IDOL will schedule hearings  
<http://www.in.gov/dol/2723.htm>
- Scale applies to all projects awarded three (3) consecutive months

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Common Construction Wage Act - Scales

Scale of Wages

- Scale of wages
  - Skilled
  - Semiskilled
  - Unskilled
- Must include all classifications necessary to complete the project
- County-specific
- Wages must be adopted before work begins

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Common Construction Wage Act - "Common" defined

Definition of "Common"

- "Common" = modal wage
- Most frequently occurring wage paid in the county

1, 1, 2, 3, 3, 3, 3, 3, 4, 4, 5, 5

- Per classification
- Per skill level

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Common Construction Wage Act - Committees

## Composing a Committee

- Five-member committee:
  - Awarding Agency Representative
  - Awarding Agency Taxpayer
  - County Legislative Body Taxpayer
  - AFL-CIO Representative
  - Associated Builders and Contractors (ABC) Representative

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Common Construction Wage Act - Etiquette

## Hearing Etiquette

- Typically held in accordance with Robert's Rules of Order
  - Election of a chairperson
  - Scales and data may be presented by anyone in attendance
  - Committee is not required to evaluate any data not presented at the hearing
  - Vote will be taken to determine the most commonly paid wages
  - Three or more committee members must be present
  - Motion with majority of votes carries
  - Sign the scale(s) before leaving

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Additional Resources

## Resources

- IDOL
  - Phone: (317) 232-2655
  - Fax: (317) 234-4449
  - Email: [customerservice@dol.in.gov](mailto:customerservice@dol.in.gov)
  - Website: [www.in.gov/dol](http://www.in.gov/dol)
- USDOL
  - Phone: (317) 226-6801
  - Website: [www.youthrules.dol.gov](http://www.youthrules.dol.gov)

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